

PATENT APPLICATION

OUR FILE NO. 20010483.COD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Ronald O. Bubar
S.N. : 09/535,067 :
Filed : March 23, 2000 : Art Unit 1761
For : LAMINATED PIZZA CRUST : Examiner T. Tran Lien



COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

Dear Sir:

**DECLARATION OF JENO F. PAULUCCI
UNDER 37 C.F.R. 1.132**

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I hereby declare that:

1. I am the inventor named in U.S. Patent 4,842,882 (the '882 patent) and am the assignee of the above-captioned application for patent.

2. I am Chairman of the Board of Luigino's, Inc., and for the past 10 years have been directly involved with the production of frozen pizza products to the point where I am very familiar with the methods used by Luigino's in the past and currently for producing baked pizza crusts. In particular, I am familiar with the product produced using the method of Example 6 of my '882 patent. I am also familiar with the product resulting when the method disclosed by Ronald Bubar in the above-captioned application is used to produce pizza crusts.

3. I have examined Exhibits 1 and 2 to the "Supplemental Declaration of Ronald O. Bubar Under 37 C.F.R. §1.132" dated November 27, 2001, and can state with certainty, based on years of experience in the field and the opportunity over the years to



closely examine pizza crusts resulting from the practice of the Bubar method described and claimed in the present application and from that resulting when the method of Example 6 of my '882 is used, that the photo of Exhibit 1 reflects the crust resulting from Mr. Bubar's method and Exhibit 2 reflects the crust resulting when the method of Example 6 of my '882 patent is employed.

4. I have read and fully comprehend the contents of Mr. Bubar's Supplemental Declaration of November 27, 2001, and I find it true and accurate in all respects. His use of the term "pressed crust process" refers to the fact that, in Example 6 of my '882 patent, the shortening in flake form is squeezed into the dough during the two series sheeting step recited in Example 6.

5. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful and false statements may jeopardize the validity of this application or any patent issued thereon.

Dated:

Jan 29th, 2002

Jeno F. Paulucci
Jeno F. Paulucci